



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/721,444	11/25/2003	Floyd D. Simpson	CEI1066J1121	7126
24273	7590	11/12/2009		
MOTOROLA, INC 1303 EAST ALGONQUIN ROAD IL01/3RD SCHAUMBURG, IL 60196			EXAMINER  LAM, DUNG LE	
			ART UNIT 2617	PAPER NUMBER
			NOTIFICATION DATE 11/12/2009	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

Docketing.US@motorola.com

***Response to Arguments***

Applicant's arguments filed 10/5/09 have been fully considered but they are not persuasive.

Applicant argues that,

"it is well known in the art that VSATs are stationary and connected to a direct power supply and do not require batteries. Thus, the sleeping and awakening process for the mobile stations of Benveniste is not applicable to the VSATs of Fishman, and the Office Action's stated motivation to combine Fishman's scheduling and Benveniste's wake-up to "be able to conserve the [VSAT] terminals' power while it is in the inactive mode" is faulty. First, Fishman's VSATs do not have an inactive mode. Second, there is no need for power conservation in a VSAT. "

The examiner respectfully disagrees. Just because VSATs are stationary and connected to power supply, it does not mean that there is no need to save power. It is well known that the top motto in business is minimizing operating cost and thereby maximizing profit. Power conservation is one way to minimize wasteful operating cost. In fact, power/energy conservation is indeed a very desirable and applicable feature for many directly-powered devices such as printers, monitors, and lights. These are some of the numerous devices that are set to go to sleep mode when they are not in used in an effort to conserve power. Thus it is obvious to one skill in the art to conserve power for VSAT to reduce power consumption and reduces cost and increases the device's life.

Applicant argues that,

Also due to the fact that Fishman's VSATs are stationary and directly powered, one of ordinary skill in the art would not be motivated to combine Liu's periodic beacons with Fishman's reservation process. Periodic signaling is often employed in mobile systems to allow for sleep or idle times (see Liu col. 3 lines 38-42 and col. 5 lines 30-31), but a drawback to periodic beacons is that information that becomes available between beacons is delayed until the next beacon transmission. Given that there is no need to create sleep or idle periods for Fishman's VSATs, a person of ordinary skill in the art would not be motivated to deliberately delay the beacon information using periodic signaling. See Fishman col. 1 lines 35-43.

The examiner respectfully disagrees. As explained above, power conservation is a very desirable feature for many devices including VSAT to reduce operating cost. Thus, one of ordinary skill would indeed be motivated to combine Liu's periodic beacons with Fishman's reservation/scheduling process because it is obvious to one skill in the art to implement power conservation for VSAT to reduce power consumption and reduces cost. Given that there IS a need to create sleep or idle periods for Fishman's VSATs, a person of ordinary skill in the art would be motivated to deliberately delay the beacon information using periodic signaling. Thus, Applicant respectfully submits that there is a motivation to combine Fishman with Benveniste and/or Liu.

Applicant argues that,

"Assuming *arguendo*, that the teachings of Benveniste and Liu were to be combined with those of Fishman, adding Benveniste's doze/asleep mode for portable stations or Liu's power-saving sleep mode for mobile stations to Fishman's VSAT transmit and receive modes would affect the reliability of Fishman's VSATs to properly receive reservation messages from the relay system, because sleeping means that the MS is neither transmitting nor receiving. See Benveniste para [0010], where Benveniste clearly states that "*When a station powers off its radio, the station is" said to enter the doze state. A station wakes up from the doze state by powering on its radio to enter the alert state. While a station is" in the doze state, it cannot transmit or receive signals, and is said to be asleep.*"

The examiner respectfully disagrees. The teachings of Benveniste and Liu were to be combined with those of Fishman, adding Benveniste's doze/asleep mode for portable stations or Liu's power-saving sleep mode for mobile stations to Fishman's VSAT transmit and receive modes would not affect the reliability of Fishman's VSATs to properly receive reservation messages from the relay system, because adding the sleeping mode would allow VSATs to operate in a more power-efficient manner to only wake up periodically as necessary and go back to sleep mode afterwards.

Applicant argues that,

"Thus, there is no need for a station to know the transmission schedules of other stations and Benveniste teaches away from "receiving a beacon transmission from the access point comprising first information that corresponds to times when other subscriber units are proposing to utilize the shared wireless communication resource" as recited in independent claim 1. Independent claims 8 and 16 recite similar features. "

The examiner respectfully disagrees. Fishman was simply relied on for the teaching of using the proposed schedules by others to select a particular time to transmit data (Fishman C4 L5-43; C3L51-67). However, it does not specifically teach about using the proposed available scheduling information to select *a time to receive*. Benveniste was added for this missing piece of utilizing the available schedule information to *select a time to receive data* ([49, 58, 69]) which clearly supplements not teach away the scheduling teaching of Fishman. Therefore, the final rejection is maintained in view of the above reasoning.

/VINCENT P. HARPER/

Supervisory Patent Examiner, Art Unit 2617